



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/676,427 | 09/30/2003 | Daisaku Ide | 1232-5168 | 7011 |
| 27123 | 7590 | 04/25/2006 | EXAMINER | |
| MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101 | | | SHAH, MANISH S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2853 | |

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,427

Applicant(s)

IDE ET AL.

Examiner

Manish S. Shah

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 3, 15, 16 and 18-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-14, 17 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-2, 4, 8-14, 17 & 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto et al. (# JP 05-208508).

Wen discloses an apparatus for producing a print product (figure: 15) and a print producing method of producing a print that is made of a print medium, on which ink is applied, the method including the steps of applying ink including a coloring material to the printing medium (element: 13, figure: 15); and applying a colorless or transparent fluid droplet different from the ink to the print medium (element: 15, figure: 15) to which ink has been applied (figure: 15; [0052]-[0054]), wherein the application of the polymeric fluid causes the degree of gloss to be varied among a plurality of levels by one of the three factors of an applying time difference between the liquid applied to adjacent location in the area of the printing medium, and a mask pattern used for applying liquid ([0039]-[0045]; figure: 9, 10). They also disclose that the steps of controlling a level of integrating a plurality of polymeric fluid droplet, which are applied for forming the layer to vary the degree of gloss (figure: 1-15). They also disclose that the polymeric fluid contains an aqueous medium and polymer ([0032]-[0039]). They also disclose that the

inkjet recording apparatus has a controller to controls the ejecting amount and location of the ejection of the ink composition and polymeric fluid composition (figure: 1-15).

They also disclose that the polymeric fluid and inks are ejected from the plurality of the nozzles (figure: 15; [0052]-[0053]).

2. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. (# JP 05-208508) in view of Patterson et al. (# US 4732786).

Yamamoto et al. discloses all the limitations of the print producing method except that the liquid contains an aqueous medium and polymer having the general formula – COOA, and the polymer is insolubilized when the predetermined liquid is applied to the surface of the printing medium so that the predetermined liquid droplet is insolubilized on the surface of the print medium. (2) The surface of the printing medium has pH contributing to insolubilize the polymer. (3) The ink-receiving layer of the printing medium contains polyvalent metal ions of such a concentration as insolubilizes the polymer.

Patterson et al. teaches a liquid composition for forming a coating layer on an image recorded article formed on recording medium by ink jet recording method, which includes an aqueous medium and a more than one polymer, wherein polymer is selected from polysaccharide, polymer of acrylic acid, copolymer of methacrylic acid (which has a general formula of –COOH) (column: 3, line: 55-68; column: 4, line: 1-25) and polyvalent metal cationic compound (column: 4, line: 39-47), wherein the polymer is dissolved in the aqueous medium in such state as to be insolubilized by the surface pH

Art Unit: 2853

of the recording medium (column: 3, line: 35-43) or polyvalent metal ion contained in the recording medium (column:2, line: 65-68; column: 3, line: 1-17; column: 4, line: 39-47).

They also teach that the recording medium has a porous ink-receiving layer, and the surface pH thereof is within a range of from 4 to 8.0 and which contains alumina hydrate (column: 4, line: 50-60). They also teach that the liquid composition contains at least two water-soluble polymer (column: 3, line: 40-68; column: 4, line: 1-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the liquid composition in the image forming process of Yamamoto et al. by the aforementioned teaching of Patterson et al. in order to have a high quality printed image.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

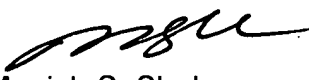
Art Unit: 2853

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Manish S. Shah
Primary Examiner
Art Unit 2853

MSS

4/19/06